

EXHIBIT 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

14-MD-2543 (JMF)

This Document Relates to All Actions

Hon. Jesse M. Furman

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NEW GM'S MOTION *IN LIMINE* NO. 7

**MOTION *IN LIMINE* TO EXCLUDE ALL CLAIMS, EVIDENCE, AND
ARGUMENT RELATING TO PUNITIVE DAMAGES CONTINGENT ON
THE FORTHCOMING DECISION OF THE BANKRUPTCY COURT**

Contingent on the Bankruptcy Court's anticipated ruling regarding punitive damages, General Motors LLC ("New GM") moves for an order excluding all claims, evidence, and argument relating to punitive damages in the *Scheuer* case, in which plaintiff alleges an accident involving an Old GM vehicle that took place after the Bankruptcy Court entered a Sale Order approving the Sale Agreement under which New GM purchased assets and assumed certain specifically identified liabilities of Old GM (the "363 Sale"). New GM has filed briefing in the Bankruptcy Court explaining that, under the Sale Order, New GM is not and cannot be liable for punitive damages from accidents involving Old GM vehicles that occurred after the closing of the 363 Sale, regardless of whether such damages are based on Old GM or New GM conduct. New GM is filing this motion now given the deadlines for motions *in limine* in the *Scheuer* case and because the Bankruptcy Court has not yet issued its decision, though New GM anticipates that the Bankruptcy Court will rule on this question before trial in the *Scheuer* action.

If the Bankruptcy Court rules in New GM's favor, then plaintiff *Scheuer*—whose complaint is based on a post-363 Sale accident involving an Old GM vehicle—will not be able to recover any punitive damages from New GM. Therefore, contingent upon the Bankruptcy

Court's ruling, New GM moves to bar Scheuer from seeking to recover punitive damages, and from making any argument or introducing any evidence for the purpose of recovering punitive damages.

Dated: November 6, 2015

/s/ Richard C. Godfrey, P.C.

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CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2015, I electronically served the foregoing pleading using the CM/ECF system which will service notification of such filing to the email of all counsel of record in this action.

/s/ Andrew B. Bloomer, P.C.

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